

RECEIVED
CENTRAL FAX CENTER
MAY 19 2008

REMARKS

Claims 43-62 are pending in this application. Claims 55, 56, and 62 are withdrawn from consideration. Applicant respectfully submits that the present invention, as defined by Claims 43-54 and 57-61, is patentable over the prior art.

I. THE 35 U.S.C. §112 REJECTIONS:

The Examiner asserts, at page 2 of the Office Action, mailed May 5, 2008, that Claims 43-54 and 57-61 are rejected under 35 U.S.C. §112, second paragraph, "as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention." In particular, on page 2, lines 17-18, of the Office Action, mailed May 5, 2008, the Examiner states: "Claim 43, lines 4, 6, 'an account' is referenced. It is not clear if 'an account' is one account or separate accounts. Clarification is required." On page 2, lines 19-21, of the Office Action, mailed May 5, 2008, the Examiner also states: "Claims 43, lines 9-13, 'a previous transaction' is referenced three separate times. It is not clear if one or multiple transactions are being referenced. Clarification is required."

Applicant respectfully submits that Claims 43-54 and 57-61 are in compliance with 35 U.S.C. §112 and Applicant respectfully submits the following comments in order to provide the clarification required by the Examiner.

Regarding the Examiner's comments pertaining to Claim 43, lines 4 and 6, Applicant respectfully submits that the "an account" referenced in each of lines 4 and 6, is one account and not separate accounts. Specifically, the phrase "information regarding a transaction involving an account" is introduced at lines 3-4 of Claim 43 and provides the antecedent basis for "the information regarding a transaction involving an account" at lines 5-6 of Claim 43.. Applicant respectfully submits that the "an account" referenced in each of lines 4 and 6 of independent Claim 43 is one account and not separate accounts.

Regarding the Examiner's rejection pertaining to Claim 43, lines 9-13, Applicant respectfully submits that the pertinent portion of independent Claim 43, at lines 7-13, recites alternative claim language, and, therefore, Applicant's use of the phrase "a previous transaction", in each of the three separate instances in which that phrase is

referenced, is proper. Specifically, lines 7-13 of Claim 43 recite that the recited information report contains:

- 1) information regarding a charge-back regarding a previous transaction involving the account;
- 2) information regarding a stopping of a payment regarding a previous transaction involving the account; or
- 3) information regarding a non-payment due to insufficient funds regarding a previous transaction involving the account.

Applicant respectfully submits that, since lines 7-13 of Claim 43 contain alternative claim language involving "a previous transaction", use of the phrase "a previous transaction" in each instance is appropriate in order to provide antecedent basis for the phrase "previous transaction" in lines 7-13 of Claim 43. In view of the above, Applicant respectfully submits that "a previous transaction", as referenced three separate times at lines 9-13 of Claim 43, can refer to one transaction or can refer to multiple transactions.

In view of the above, Applicant respectfully submits that independent Claim 43 is in compliance with 35 U.S.C. §112. In view of the foregoing, Applicant respectfully

submits that Claims 43-54 and 57-61 are in compliance with 35 U.S.C. §112. Reconsideration of, and withdrawal of, the Examiner's final rejection of Claims 43-54 and 57-61 under 35 U.S.C. §112 is, therefore, respectfully requested.

II. THE 35 U.S.C. §103 REJECTIONS:

The Examiner asserts, on page 3 of the Office Action, mailed May 5, 2008, that Claims 43-54 and 57-61 are rejected under 35 U.S.C. §103(a) as being unpatentable over Joao, et al., U.S. Patent No. 7,096,003 (Joao). Applicant respectfully submits that the present invention, as defined by Claims 43-54 and 57-61, is patentable over the prior art.

IIA. THE PRESENT INVENTION, AS DEFINED BY CLAIMS 43-54 AND 57-61, IS PATENTABLE OVER THE PRIOR ART:

Applicant respectfully submits that the present invention, as defined by Claims 43-54 and 57-61, is patentable over the prior art. Applicant respectfully submits that the present invention, as defined by independent Claim 43, is patentable over the prior art.

Applicant respectfully submits that the present

invention, as defined by independent Claim 43, is patentable over Joao.

Applicant respectfully submits that Joao does not disclose, teach, or suggest, a computer-implemented method, comprising transmitting the information report to a communication device associated with a merchant, vendor, or provider, of a good, product, or service, all of which features are specifically recited features of independent Claim 43.

Applicant submits that Joao does not disclose, teach, or suggest, transmitting the recited information report to the recited communication device associated with a merchant, vendor, or provider, of a good, product, or service, which recited information report contains the recited information regarding a charge-back regarding a previous transaction involving the account, the recited information regarding a stopping of a payment regarding a previous transaction involving the account, or the recited information regarding a non-payment due to insufficient funds regarding a previous transaction involving the account.

In view of the foregoing, Applicant respectfully

submits that Joao does not disclose, teach, or suggest, many of the specifically recited features of independent Claim 43 and, therefore, Applicant submits that Joao does not disclose, teach, or suggest, all of the features of independent Claim 43.

In view of the above, Applicant respectfully submits that the present invention, as defined by independent Claim 43, is patentable over Joao. In view of the foregoing, Applicant respectfully submits that the present invention, as defined by independent Claim 43, is patentable over the prior art.

Applicant further submits that Claims 44-54 and 57-61, which Claims 44-54 and 57-61 depend directly from independent Claim 43, so as to include all of the limitations of independent Claim 43, are also patentable over the prior art as said Claims 44-54 and 57-61 depend from allowable subject matter.

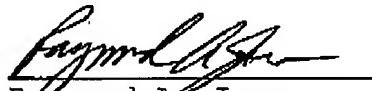
In view of the foregoing, Applicant respectfully requests that the Examiner reconsider and withdraw the final rejection of Claims 43-54 and 57-61. Allowance of pending Claims 43-54 and 57-61 is respectfully requested.

RECEIVED
CENTRAL FAX CENTER
MAY 19 2008

III. CONCLUSION:

In view of the foregoing, the application is deemed to be in condition for allowance and action to that end is respectfully requested. Applicant respectfully requests that the Examiner reconsider and withdraw the final rejection of Claims 43-54 and 57-61. Allowance of pending Claims 43-54 and 57-61 is respectfully requested.

Respectfully Submitted,



Raymond A. Joao
Reg. No. 35,907

May 19, 2008

Raymond A. Joao, Esq.
122 Bellevue Place
Yonkers, New York 10703
(914) 969-2992